



CANNON BUILDING
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**STATE OF DELAWARE
BOARD OF ARCHITECTS**

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, June 7, 2017 at 1:30 p.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room B Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	July 19, 2017

MEMBERS PRESENT

Paul Guggenberger, Professional Member, President
Daniel Ridgely, Professional Member, Secretary
Robert Maffia, Professional Member
Bryan Hutchison, Professional Member
Phillip Winder, Public Member (departed at 2:28 p.m.)
Rosemarie Vanderhoogt, Public Member
Todd Breck, Professional Member (arrived at 1:39 p.m.)

MEMBERS ABSENT

Teresa Wilson, Public Member
Richard Senato, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Jennifer Witte, Administrative Specialist II

OTHERS PRESENT

Nancy Payne
Christopher Kidd
Paul Cottrell, Esq.
David Franke
Mark Barnhardt
Kevin Guerke

CALL TO ORDER

Mr. Guggenberger called the meeting to order at 1:35 p.m.

REVIEW OF MINUTES

A motion was made by Mr. Maffia, seconded by Mr. Ridgely, to approve the minutes from the May 3, 2017 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Conduct Deliberations from Public Hearing Regarding Proposed Amendments to Board's Rules and Regulations

Ms. Singh stated there have been no public comments received resulting from the May 3, 2017 public hearing regarding the proposed amendments to the Board's Rules and Regulations which will clarify the continuing education requirement for applicants re-applying for licensure in Delaware, re-implement the IDP waiver and eliminate confusing provisions related to disallowance of acceptable continuing education credits. A motion was made by Mr. Guggenberger, seconded by Mr. Maffia, to approve the proposed amendments to the Board's rules and regulations. The motion was unanimously carried. The Board signed the final order.

Sign Final Orders

The Board signed the final orders from Hearing Officer Recommendations reviewed at the May 3, 2017 meeting for Gary Martinez, Diane Evans, William Horn, John Winkler, Lorin Kramer, Kai Sheng, Victor Franchi, Jr., Grayling Johnson, Matthew Freeby, Stephen O'Neill and Thomas Wiley.

NEW BUSINESS

Due to the attendance of both licensees and legal counsel, Mr. Guggenberger modified the agenda to first review the Hearing Officer Recommendations for those present.

Review and Consider Recommendations of the Chief Hearing Officer

Christopher Kidd, #S5-0007230

Mr. Kidd was present for the review of his recommendation. Mr. Cottrell, attorney for Mr. Kidd, made a statement that his client understands the deficiency and has no objections to the recommendation and just wanted to be present for the Board's review of his recommendation.

After review, a motion was made by Mr. Guggenberger, seconded by Mr. Hutchison, to accept the recommendation of the Chief Hearing Officer. The motion was carried by Mr. Ridgely, Mr. Maffia, Mr. Winder and Ms. Vanderhoogt. Mr. Breck was opposed.

David Franke, #S5-0007576

Mr. Franke was present for the review of his recommendation. He addressed the Board stating his continuing education history not being a member of the AIA and an office location change. He further stated that he felt that the recommended discipline was rather harsh and hoped that the Board would be more lenient with the discipline.

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, 1.5 HSW hours of continuing education be made-up rather than 2.5, the monetary fine be reduced to \$1000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Mark Barnhardt, #S50007799

Mr. Barnhardt was present for the review of recommendation. Mr. Guerke, attorney for Mr. Barnhardt, stated that his client is seeking relief of the recommendation due to not receiving notice of the hearing that had been scheduled due to termination from his job and a lock out of the office, computer, systems, etc.

Ms. Singh advised the Board that Mr. Barnhardt can request a petition of reconsideration under the Administrative Procedures Act.

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to vacate the recommendation, give due process and request a new hearing. The motion was unanimously carried.

Ms. Singh stated that she will verify the process for requesting a new hearing.

Christopher Elnicki, #S5-0005886

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Jeremy Berg, #S5-0007850

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Ben Carr, #S5-0001037

After review, a motion was made by Mr. Maffia, seconded by Mr. Guggenberger, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of the monetary fine to \$2500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Joseph Saphire, #S5-0007179

After review, a motion was made by Mr. Breck, seconded by Mr. Ridgely, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of the monetary fine to \$1500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Judith Repp, #S5-0006697

After review, a motion was made by Mr. Maffia, seconded by Mr. Breck, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Maureen Minker, #S5-0005888

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Laurence Jones, #S5-0007510

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

David Crawford, #S5-0006692

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, an increase of the monetary fine to \$1000 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Barry Barnett, #S5-0002004

After review, a motion was made by Mr. Maffia, seconded by Ms. Vanderhoogt, to accept the recommendation of the Chief Hearing Officer with an amendment to the legal language, issue a Letter of Reprimand, increase the monetary fine to \$2500 and an immediate suspension should compliance to the discipline imposed not be achieved. The motion was unanimously carried.

Ratify Reciprocity Applications – NCARB Certificate

A motion was made by Mr. Breck, seconded by Mr. Hutchison, to approve the ratified reciprocity applications of David Gill, James Braddock, Drew Romanic, William Wilson, John Gering, Paul Wilson and Scott Broadbent. The motion was unanimously carried.

Request for Wall Certificate

The Board signed wall certificates for Michael Likshides and Robert Grove.

Review of Reciprocity Applications

After review, a motion was made by Mr. Breck, seconded by Mr. Ridgely, to approve the reciprocity application of Daniel Campbell. The motion was unanimously carried.

After review, a motion was made by Mr. Breck, seconded by Mr. Maffia, to table the reciprocity application of William Flynn due to clarification and inconsistencies on the application. The motion was unanimously carried.

Ratification of Certificate of Authorization Applications

A motion was made by Mr. Breck, seconded by Mr. Ridgely, to approve the ratified Certificate of Authorization application of Payette Associates, Inc. The motion was unanimously carried.

CORRESPONDENCE

There was no correspondence.

OTHER BUSINESS BEFORE THE BOARD

Mr. Maffia stated that both he and Mr. Breck will be attending NCARB's 2017 Annual Meeting in Boston this month and he will need to leave early. With his early departure, and the need of a voting delegate on behalf of Delaware, the Board authorized Mr. Breck to be the voting delegate.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be July 19, 2017 at 1:30 p.m. in Conference Room B.

ADJOURNMENT

There being no further business, a motion was made by Ms. Vanderhoogt, seconded by Mr. Ridgely, to adjourn the meeting at 3:08 p.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II